104TH CONGRESS
2d Session
HOUSE OF REPRESENTATIVES
REPORT
104–570

PROVIDING FOR THE CONSIDERATION OF H.R. 3230, THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1997

MAY 9, 1996.—Referred to the House Calendar and ordered to be printed

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Mr. SOLOMON, from the Committee on Rules, submitted the following

REPORT

[To accompany H. Res. 430]

The Committee on Rules, having had under consideration House Resolution 430, by a non-record vote, report the same to the House with the recommendation that the resolution be adopted.

BRIEF SUMMARY OF PROVISIONS OF RESOLUTION

The resolution provides for the consideration of H.R. 3230, the National Defense Authorization Act for fiscal year 1997, under a structured rule. The rule waives all points of order against the bill and against its consideration and provides for two hours of general debate divided equally between the chairman and ranking minority member of the Committee on National Security.

The rule makes in order the committee amendment in the nature of a substitute printed in the bill as an original bill for the purpose of amendment and waives all points of order against the substitute. The rule also provides that, except as specified in section 4 of the resolution, amendments will be considered only in the order and manner specified in this report. Except as otherwise provided in this report, amendments shall be debatable for 10 minutes divided between a proponent and an opponent. Amendments shall be considered as read and are not amendable (except for pro forma amendments offered by the Chairman and ranking minority member of the National Security Committee). All points of order against amendments printed in this report or those described in section 3 of this resolution are waived. The rule also provides for an extra 40 minutes debate on Cooperative Threat Reduction with the former Soviet Union (part A).

The rule authorizes the Chairman of the National Security Committee or his designee to offer amendments en bloc consisting of

amendments in part B of this report or germane modifications thereto, which shall be considered as read except that modifications shall be reported, shall be debatable for 20 minutes divided equally between the Chairman and ranking member of the National Security Committee or their designees and which shall not be subject to amendment or demand for division of the question.

The rule further provides that, for the purposes of inclusion in such amendments en bloc, an amendment printed in the form of a motion to strike may be modified to the form of a germane perfecting amendment to the text originally proposed to be stricken. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the en bloc amendments.

The rule permits the Chairman of the Committee of the Whole to postpone votes on any amendment and to reduce to 5 minutes the time for voting after the first of a series of votes provided that the first vote is not less than 15 minutes. The rule also permits the Chairman of the Committee of the Whole to recognize for consideration any amendment out of the order in which it is printed in this report, but not sooner than one hour after the Chairman of the National Security Committee or a designee announces from the floor a request to that effect.

Finally, the rule provides one motion to recommit with or without instructions.

SUMMARY OF AMENDMENTS MADE IN ORDER FOR H.R. 3230, THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1997

(Listed in the order they appear in this report)

PART A—STRUCTURED DEBATE AMENDMENTS

Nunn—Lugar (40 minutes additional debate time)

1. Solomon: Prohibits the further obligation of funds for the Nunn-Lugar program in Russia and Belarus until the president certifies to Congress that Russia has met 10 conditions relating to arms control, Russian foreign and military policy and Russian exports. (10 min.)

2. Gilman: Prohibits any funds appropriated under any Act from being obligated or expended pursuant to the authorization for the Cooperative Threat Reduction to Russia or any other NIS country for the purpose of promoting defense conversion. (10 min.)

Abortion

3. DeLauro/Harman/Ward: Reverses action taken last year which prohibited privately funded abortions for military women and dependents at overseas military hospitals. (40 min.)

HIV

4. Torkildsen/Harman: Strikes the provision reenacting the mandatory separation of service for members of the Armed Forces diagnosed with the HIV–1 virus. (40 min.)

Army Reserve

5. Saxton: Retains the current Army structure and eliminates the removal of the Army's Reserve Command from Forces Command contained in H.R. 3230 as reported. (30 min.)

Burdensharing

6. Shays/Frank/Upton/Gephardt/Dellums/Martini: Requires the President to seek increases in defense burden sharing by U.S. allies; provides authorities to the President to achieve increases in burden sharing by U.S. allies; and requires the DoD to report on progress made by increasing allied burden sharing and alternative forward deployment configurations that would meet alliance requirements or U.S. national security interests. (30 min.)

PART B—GENERAL AMENDMENTS

1. McInnis/DeFazio: Increases the amount of funds available to the Army for researching innovative technology for chemical weapons demilitarization. (10 min.)

2. Chenoweth: Authorizes an additional $10 million to assist in funding the development of field emission flat panel technology to be added to the Combat Vehicle Improvement for MI Tank Upgrade. (10 min.)

3. Weldon/Spratt: Requires the all dual-use cost shared programs carried out under this section to be through the use of competitive procedures. The amendment also repeals the section of law that allows cooperative agreements to be an option for acquisition officials only when the standard contract, grant, or cooperative agreements for dual use cost shared projects is not feasible. (10 min.)

4. Spratt: Adds a new paragraph to Section 219 of Subtitle B of Title II to clarify the requirements of the Space and Missile Tracking System satellite constellation. (10 min.)

5. Cunningham: Clarifies report language concerning funds authorized for the development of a concept effort for an improved high altitude, low observable, unmanned aerial reconnaissance vehicle. (10 min.)

6. Taylor (MS): Provides that 15 days after the enactment of this Act, the President shall submit to Congress a written certification stating specifically whether or not the U.S. has the capability, at the date of certification, to prevent the illegal importation of nuclear, biological or chemical weapons into the U.S. and its possessions. (10 min.)

7. Neumann: Removes the authorization for the Navy Manufacturing Technology Program, which provides funding for the development of manufacturing processes. (10 min.)

8. Hansen: Requires DoD to establish a natural resources assessment and training delivery system. (10 min.)

9. Dellums: Provides the DoD authority to enter into cooperative agreements with State and local governmental agencies to create partnerships that lead to greater flexibility, promote cost effectiveness and improve efficiency in promoting the acceptance of new technologies necessary to meet DoD operational requirements. (10 min.)

10. McKeon: Clarifies certain management constraints as they apply to Major Range and Test Facilities. (10 min.)

11. Montgomery: Allow the Honorably Discharged a 2nd opportunity to sign up for the Mobilization Income Insurance Program if the member subsequently decides to become a drilling Guardsman or Reservist. (10 min.)

12. Oberstar: Broadens current military health care to include preventive screenings for prostate and colon cancer for male service members. (10 min.)

13. Edwards/Green: Changes the date in the bill so that all 7 Uniformed Service Treatment Facilities will change to a new program at the same time. Without date change, Texas USTF and DoD will be changed with severe financial impact. (10 min.)

14. Klug: Phases-out the Uniformed Services University of the Health Science (DoD medical school) and changes the current minimum active duty requirement for the graduates of the Health Profession Scholarship Program to seven years. (10 min.)

15. Farr: Codifies Congressional intent that the Monterey Demonstration project (to provide cost-effective alternatives to providing municipal services) was not intended to be delayed by regulatory requirements. (10 min.)

16. Waters: Requires a DoD study of the employment impact on mergers within the defense industry to be reported to Congress in six months. (10 min.)

17. Waters: Requires a DoD study of the impact of mergers on eliminating excess capacity and reducing defense dependency by defense contractors to be reported to Congress in six months. (10 min.)

18. Oberstar: Broadens the Denton Amendment to permit the transportation of health professionals engaged in the provision of humanitarian assistance. (10 min.)

19. Gilman: Authorizes the transfer of naval vessels to certain foreign countries pursuant to the Administration's request of January 29, 1996, and modifies authorities governing foreign arms sales. This amendment is identical to H.R. 3121, which the House passed on April 16, 1996 by voice vote. (10 min.)

20. Traficant: States that any country that engages in unfair trade practices with the U.S. will be denied its blanket waiver of the Buy American Act. (10 min.)

21. Scarborough: Amends the Foreign Assistance of 1961 to include excess property of the Coast Guard. (10 min.)

22. Pickett: Requires the Sec. of Defense to develop uniform procedures under which the Secretary may cause a forfeiture of retired pay of a member or former member of the uniformed services who willfully remains outside the U.S. to avoid criminal prosecution or civil liability. (10 min.)

23. Browder: Calls for the Secretary of the Army, in cooperation with the Director of FEMA, to implement site-specific Integrated Product and Process Teams as a management tool of the Chemical Stockpile Emergency Preparedness Program. If the Secretary cannot successfully accomplish this within 120 days, then full control and responsibility for CSEPP would revert to the Secretary of the Army. (10 min.)

24. Establishes a reporting requirement on all co-production deals between the U.S. and foreign countries. (10 min.)

25. Solomon: Requires that violations of veterans' preferences in DoD hiring and promoting be treated as a prohibited personnel practice. Requires DoD to report to Congress no more than six months from date of enactment on the status of the Department's efforts to ensure that veterans preferences are being fully and fairly implemented. (10 min.)

26. Markey: Sense of Congress calling on the President to impose the strongest sanctions available under U.S. law on Chinese companies involved in the export of military and industrial products. (10 min.)

27. Miller (CA): Authorizes the transfer to the city of Vallejo, California of a nuclear submarine now awaiting decommissioning in Pearl Harbor. (10 min.)

28. Kennedy(MA): Sense of Congress that it is in the security interest of the U.S. to provide assistance to countries to improve the security of their fissile materials. (10 min.)

29. Chambliss: Allows Secretary of Defense to evaluate equipment used in the 1996 Olympic Games to determine whether such equipment would be appropriate for use by the DoD in digital, audio, and visual global broadcasting. (10 min.)

30. Spence: Limits the White House Communications Agency to providing telecommunications support to the President. (10 min.)

31. Lewis (CA): Congress supports the continuation of the South West Border States Anti-Drug Information System. (10 min.)

32. Taylor (MS): Directs the Sec. of the Army to submit a plan for the reutilization or disposal of the Mississippi Army Ammunition Plant to Congress not later than 180 days after the date of enactment of the FY 1997 Defense Authorization bill. (10 min.)

33. Porter: Provides confirmation that the authority granted to the Army regarding the conveyance of property at Ft. Sheridan in the FY 1996 Military Construction Act be ongoing pending environmental remediation that is not expected to be completed until fiscal year 1997. (10 min.)

34. Hastings (WA): Allow DoE to fund an already existing program to assist the Russian government in shutting down plutonium producing nuclear reactors out of unspent funds from prior years, rather than new funding. (10 min.)

35. Hall (OH): Designates $5 million to the Energy Department's Office of Environment, Safety and Health to conduct annual inspections of compliance with nuclear safety requirements, to issue additional safety regulations, and to conduct investigations of potential safety violations involving occupational radiation hazards. (10 min.)

COMMITTEE VOTES

Pursuant to clause 2(l)(2)(B) of House rule XI the results of each rollcall vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

RULES COMMITTEE ROLLCALL NO. 312

Date: May 9, 1996.

Measure: Rule for consideration of H.R. 3230, National Defense Authorization Act.

Motion By: Mr. Moakley.

Summary of Motion: Make in order the Kennedy (Massachusetts) amendment to rename and reorient the Army School of the Americas.

Results: Rejected 4 to 9.

Vote by Members: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Greene—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLLCALL NO. 313

Date: May 9, 1996.

Measure: Rule for consideration of H.R. 3230, National Defense Authorization Act.

Motion By: Mr. Beilenson.

Summary of Motion: Make in order Schroeder amendment to cut the overall authorized funding in the bill by $13 billion.

Results: Rejected 4 to 9.

Vote by Members: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Greene—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLLCALL NO. 314

Date: May 9, 1996.

Measure: Rule for consideration of H.R. 3230, National Defense Authorization Act.

Motion By: Mr. Beilenson.

Summary of Motion: Make in order the Foley/Shays amendment to reduce the overall authorization level in the bill to $264.7 billion.

Results: Rejected 4 to 9.

Vote by Members: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Greene—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

PART A

A–1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SOLOMON OF NEW YORK, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 1104 (page 362, beginning on line 17)—

(1) insert "(a) IN GENERAL.—" before "None of the funds"; and

(2) add at the end (page 363, after line 12) the following:

(b) ANNUAL PRESIDENTIAL CERTIFICATION WITH RESPECT TO RUSSIA AND BELARUS.—None of the funds appropriated for Cooperative Threat Reduction programs for any fiscal year may be obligated for any activity in Russia or Belarus until the President submits to Congress, after such funds are appropriated, a current certification of each of the following:

(1) Russia is in compliance with all arms control agreements.

(2) Russia is not developing offensive chemical or biological weapons.

(3) Russia has ceased all construction of and operations at the underground military complex at Yamantau Mountain.

(4) Russia is not modernizing its nuclear arsenal.

(5) Russia has ceased all offensive military operations in Chechnya.

(6) Russia has begun, and is making continual progress toward, the unconditional implementation of the Russian-Moldovan troop withdrawal agreement, signed by the prime ministers of Russia and Moldova on October 21, 1994, and is not providing military assistance to any military forces in the Transdniestra region of Moldova.

(7) Russian troops in the Kaliningrad region of Russia are respecting the sovereign territory of Lithuania and other neighboring countries.

(8) The activities of Russia in the other independent states of the former Soviet Union do not represent an attempt by Russia to violate or otherwise diminish the sovereignty and independence of such states.

(9) Russia is not providing any intelligence information to Cuba and is not providing any assistance to Cuba with respect to the signal intelligence facility at Lourdes.

(10)(A) Russia is not providing to the countries described in subparagraph (B) goods or technology, including conventional weapons, which could contribute to the acquisition by these countries of chemical, biological, nuclear, or advanced conventional weapons.

(B) The countries described in this subparagraph are Iran, Iraq, Libya, Syria, Cuba, or any country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(6)(j)(1)), has repeatedly provided support for acts of international terrorism.

A–2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GILMAN OF NEW YORK, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 1103 (page 362, beginning on line 1)—

(1) insert "(a) IN GENERAL.—" before "None of the funds";

(2) strike out paragraph (3) and redesignate paragraphs (4) and (5) as paragraphs (3) and (4), respectively; and

(3) add at the end (page 362, after line 16) the following:

(b) LIMITATION WITH RESPECT TO DEFENSE CONVERSION ASSISTANCE.—None of the funds appropriated pursuant to this or any other Act may be obligated or expended for the provision of assistance to Russia or any other state of the former Soviet Union to promote defense conversion, including assistance through the Defense Enterprise Fund.

A–3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DELAURO OF CONNECTICUT, OR A DESIGNEE, DEBATABLE FOR 40 MINUTES

At the end of title VII (page 298, after line 24), insert the following new section:

SEC. . RESTORATION OF PRIOR POLICY REGARDING RESTRICTIONS ON USE OF DEPARTMENT OF DEFENSE MEDICAL FACILITIES.

Section 1093 of title 10, United States Code, is amended—

(1) by striking out "(a) RESTRICTION ON USE OF FUNDS.—"; and

(2) by striking out subsection (b).

A–4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TORKILDSEN OF MASSACHUSETTS, OR REPRESENTATIVE HARMAN OF CALIFORNIA, OR A DESIGNEE, DEBATABLE FOR 40 MINUTES

Strike section 567 (Page 161, line 1, through page 164, line 2).

A–5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SAXTON OF NEW JERSEY, OR A DESIGNEE, DEBATABLE FOR 30 MINUTES

In section 10171 of title 10, United States Code, as proposed to be added by section 1211(a)(1) (page 364, beginning on line 14)—

(1) in subsection (a), strike out "The Army Reserve Command shall be operated as a separate command of the Army."; and

(2) in subsection (b), strike out "The commander of the Army Reserve Command reports directly to the Chief of Staff of the Army." and insert in lieu thereof "Except as otherwise prescribed by the Secretary of Defense, the Secretary of the Army shall prescribe the chain of command for the Army Reserve Command.".

A–6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SHAYS OF CONNECTICUT, OR REPRESENTATIVE FRANK OF MASSACHUSETTS, OR A DESIGNEE, DEBATABLE FOR 30 MINUTES

At the end of title X (page 359, after line 20), insert the following new section:

SEC. . DEFENSE BURDENSHARING.

(a) FINDINGS.—Congress makes the following findings:

(1) Although the Cold War has ended, the United States continues to spend billions of dollars to promote regional security and to make preparations for regional contingencies.

(2) United States defense expenditures primarily promote United States national security interests; however, they also significantly contribute to the defense of our allies.

(3) In 1993, the gross domestic product of the United States equaled $6,300,000,000,000, while the gross domestic product of other NATO member countries totaled $7,200,000,000,000.

(4) Over the course of 1993, the United States spent 4.7 percent of its gross domestic product on defense, while other NATO members collectively spent 2.5 percent of their gross domestic product on defense.

(5) In addition to military spending, foreign assistance plays a vital role in the establishment and maintenance of stability in other nations and in implementing the United States national security strategy.

(6) This assistance has often prevented the outbreak of conflicts which otherwise would have required costly military interventions by the United States and our allies.

(7) From 1990–1993, the United States spent $59,000,000,000 in foreign assistance, a sum which represents an amount greater than any other nation in the world.

(8) In 1995, the United States spent over $10,000,000,000 to promote European security, while European NATO nations only contributed $2,000,000,000 toward this effort.

(9) With a smaller gross domestic product and a larger defense budget than its European NATO allies, the United States shoulders an unfair share of the burden of the common defense.

(10) Because of this unfair burden, the Congress previously voted to require United States allies to bear a greater share of the costs incurred for keeping United States military forces permanently assigned in their countries.

(11) As a result of this action, for example, Japan now pays over 75 percent of the nonpersonnel costs incurred by United States military forces permanently assigned there, while our European allies pay for less than 25 percent of these same costs. Japan signed a new Special Measures Agreement this year which will increase Japan's contribution toward the cost of stationing United States troops in Japan by approximately $30,000,000 a year over the next five years.

(12) These increased contributions help to rectify the imbalance in the burden shouldered by the United States for the common defense.

(13) The relative share of the burden of the common defense still falls too heavily on the United States, and our allies should dedicate more of their own resources to defending themselves.

(b) EFFORTS TO INCREASE ALLIED BURDENSHARING.—The President shall seek to have each nation that has cooperative military relations with the United States (including security agreements, basing arrangements, or mutual participation in multinational military organizations or operations) take one or more of the following actions:

(1) For any nation in which United States military personnel are assigned to permanent duty ashore, increase its financial contributions to the payment of the nonpersonnel costs incurred by the United States Government for stationing United States military personnel in that nation, with a goal of achieving the following percentages of such costs:

(A) By September 30, 1997, 37.5 percent.

(B) By September 30, 1998, 50 percent.

(C) By September 30, 1999, 62.5 percent.

(D) By September 30, 2000, 75 percent.

An increase in financial contributions by any nation under this paragraph may include the elimination of taxes, fees, or other charges levied on United States military personnel, equipment, or facilities stationed in that nation.

(2) Increase its annual budgetary outlays for national defense as a percentage of its gross domestic product by 10 percent or at least to a level commensurate to that of the United States by September 30, 1997.

(3) Increase its annual budgetary outlays for foreign assistance (to promote democratization, economic stabilization, transparency arrangements, defense economic conversion, respect for the rule of law, and internationally recognized human rights) by 10 percent or at least to a level commensurate to that of the United States by September 30, 1997.

(4) Increase the amount of military assets (including personnel, equipment, logistics, support and other resources) that it contributes, or would be prepared to contribute, to multinational military activities worldwide, including United Nations or regional peace operations.

(c) AUTHORITIES TO ENCOURAGE ACTIONS BY UNITED STATES ALLIES.—In seeking the actions described in subsection (b) with respect to any nation, or in response to a failure by any nation to undertake one or more of such actions, the President may take any of the following measures:

(1) Reduce the end strength level of members of the Armed Forces assigned to permanent duty ashore in that nation.

(2) Impose on that nation taxes, fees, or other charges similar to those that such nation imposes on United States forces stationed in that nation.

(3) Reduce (through rescission, impoundment, or other appropriate procedures as authorized by law) the amount the United States contributes to the NATO Civil Budget, Military Budget, or Security Investment Program.

(4) Suspend, modify, or terminate any bilateral security agreement the United States has with that nation.

(5) Reduce (through rescission, impoundment or other appropriate procedures as authorized by law) any United States bilateral assistance appropriated for that nation.

(6) Take any other action the President determines to be appropriate as authorized by law.

(d) REPORT ON PROGRESS IN INCREASING ALLIED BURDENSHARING.—Not later than March 1, 1997, the Secretary of Defense shall submit to Congress a report on—

(1) steps taken by other nations to complete the actions described in subsection (b);

(2) all measures taken by the President, including those authorized in subsection (c), to achieve the actions described in subsection (b); and

(3) the budgetary savings to the United States that are expected to accrue as a result of the steps described under paragraph (1).

(e) REPORT ON NATIONAL SECURITY BASES FOR FORWARD DEPLOYMENT AND BURDENSHARING RELATIONSHIPS.—(1) In order to ensure the best allocation of budgetary resources, the President shall undertake a review of the status of elements of the United States Armed Forces that are permanently stationed outside the United States. The review shall include an assessment of the following:

(A) The alliance requirements that are to be found in agreements between the United States and other countries.

(B) The national security interests that support permanently stationing elements of the United States Armed Forces outside the United States.

(C) The stationing costs associated with the forward deployment of elements of the United States Armed Forces.

(D) The alternatives available to forward deployment (such as material prepositioning, enhanced airlift and sealift, or joint training operations) to meet such alliance requirements or national security interests, with such alternatives identified and described in detail.

(E) The costs and force structure configurations associated with such alternatives to forward deployment.

(F) The financial contributions that allies of the United States make to common defense efforts (to promote democratization, economic stabilization, transparency arrangements, defense economic conversion, respect for the rule of law, and internationally recognized human rights).

(G) The contributions that allies of the United States make to meeting the stationing costs associated with the forward deployment of elements of the United States Armed Forces.

(H) The annual expenditures of the United States and its allies on national defense, and the relative percentages of each nation's gross domestic product constituted by those expenditures.

(2) The President shall submit to Congress a report on the review under paragraph (1). The report shall be submitted not later than March 1, 1997, in classified and unclassified form.

PART B.

B–1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCINNIS OF COLORADO, OR A DESIGNEE

In section 107 (page 20, beginning on line 9)—

(1) insert "(a) AUTHORIZATION.—" before "There is hereby authorized"; and

(2) add the following at the end:

(b) AMOUNT FOR ALTERNATIVE TECHNOLOGY AND APPROACHES PROJECT.—Of the amount specified in subsection (a), $21,000,000 shall be available for the Alternative Technology and Approaches Project.

B–2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CHENOWETH OF IDAHO, OR A DESIGNEE

At the end of title II (page 70, after line 15), add the following new section:

SEC. . FUNDING INCREASE FOR FIELD EMISSION FLAT PANEL TECHNOLOGY.

(a) INCREASE.—The amount authorized in section 201(1) for the Combat Vehicle Improvement Program for M1 Tank Upgrade (program element 23735A DD30) is hereby increased by $10,000,000 to assist in funding the development of field emission flat panel technology.

(b) OFFSET.—The amount authorized in section 101 is hereby decreased by $10,000,000.

B–3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WELDON OF PENNSYLVANIA, OR REPRESENTATIVE SPRATT OF SOUTH CAROLINA, OR A DESIGNEE

In section 203, add at the end of subsection (c) (page 36, after line 6) the following new paragraph:

(3) Funds made available pursuant to subsection (b) may be used for a dual-use program only if the contract, cooperative agreement, or other transaction by which the program is carried out is entered into through the use of competitive procedures.

Add at the end of section 203 (page 37, after line 11) the following new subsection:

(g) REPEAL.—Section 2371(e) of title 10, United States Code, is amended—

(1) by inserting "and" after the semicolon at the end of paragraph (1);

(2) by striking out "; and" at the end of paragraph (2) and inserting in lieu thereof a period; and

(3) by striking out paragraph (3).

B–4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SPRATT OF SOUTH CAROLINA, OR A DESIGNEE

In section 219 (page 46, beginning on line 16)—

(1) redesignate subsection (c) as subsection (d); and

(2) after subsection (b), insert the following:

(c) Notwithstanding any other provision of law, the Space and Missile Tracking System shall be developed and deployed so as to have the capability—

(1) to acquire and track incoming ballistic missiles;

(2) to cue theater and national missile defense systems; and

(3) to supply technical intelligence and battlespace characterization.

B–5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CUNNINGHAM OF CALIFORNIA, OR A DESIGNEE

At the end of subtitle B of title II (page 50, after line 6), insert the following new section:

SEC. 223. HIGH ALTITUDE ENDURANCE UNMANNED AERIAL RECONNAISSANCE SYSTEM.

Any funds authorized to be appropriated under this title to develop concepts for an improved Tier III Minus (High Altitude Endurance Unmanned Aerial Reconnaissance System) that would in-

crease the unit flyaway cost above the established contracted for amount must be awarded through competitive acquisition procedures.

B–6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TAYLOR OF MISSISSIPPI, OR A DESIGNEE

At the end of subtitle B of title II (page 50, after line 6), insert the following new section:

SEC. 223. CERTIFICATION OF CAPABILITY OF UNITED STATES TO PREVENT ILLEGAL IMPORTATION OF NUCLEAR, BIOLOGICAL, OR CHEMICAL WEAPONS.

Not later than 15 days after the date of the enactment of this Act, the President shall submit to Congress a certification in writing stating specifically whether or not the United States has the capability (as of the date of the certification) to prevent the illegal importation of nuclear, biological, or chemical weapons into the United States and its possessions.

B–7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE NEUMANN OF WISCONSIN, OR A DESIGNEE

At the end of title II (page 70, after line 15), insert the following new section:

SEC. 248. TERMINATION OF MANUFACTURING TECHNOLOGY PROGRAM

(a) TERMINATION.—Effective on the date of the enactment of this Act, no funds may be spent on the Manufacturing Technology Program established pursuant to section 2525 of title 10, United States Code. The Secretary of Defense shall take such actions as may be necessary to provide for the orderly termination of such program.

(b) REDUCTION IN AUTHORIZATION.—The amount provided in section 201 for the Manufacturing Technology Program is hereby reduced to zero.

(c) CONFORMING REPEAL.—Section 2525 of title 10, United States Code, is repealed. The table of sections at the beginning of subchapter IV of chapter 148 of such title is amended by striking out the item relating to such section.

B–8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HANSEN OF UTAH, OR A DESIGNEE

At the end of title II (page 70, after line 15), insert the following new section:

SEC. 248. NATURAL RESOURCES ASSESSMENT AND TRAINING DELIVERY SYSTEM.

Of the amount authorized to be appropriated by section 201(4), funding shall be available for a proposed natural resources assessment and training delivery system to enhance the ability of the Department of Defense to mitigate the environmental impact of its

operational training of forces and testing of weapons systems on military installations where problems are most acute.

B–9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DELLUMS OF CALIFORNIA, OR AN ASSIGNEE

At the end of subtitle C of title III (page 84, after line 25), insert the following new section:

SEC. 328. AGREEMENTS FOR SERVICES OF OTHER AGENCIES IN SUPPORT OF ENVIRONMENTAL TECHNOLOGY DEMONSTRATION AND VALIDATION.

(a) AUTHORITY.—The Secretary of Defense may enter into a cooperative agreement with an agency of a State or local government to obtain assistance in demonstrating, validating, and certifying environmental technologies.

(b) TYPES OF ASSISTANCE.—The types of assistance that may be obtained under subsection (a) include the following:

(1) Data collection and analysis.

(2) Technical assistance in conducting a demonstration of an environmental technology, including the implementation of quality assurance and quality control programs.

(c) SERVICE CHARGES.—The cooperative agreement may provide for the payment by the Secretary of service charges to the agency if the charges are reasonable, nondiscriminatory, and do not exceed the actual or estimated cost to the agency of providing the service.

B–10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCKEON OF CALIFORNIA, OR A DESIGNEE

At the end of subtitle A of title V (Page 129, after line 7), insert the following new section:

SEC. 508. CLARIFICATION OF APPLICABILITY OF CERTAIN MANAGEMENT CONSTRAINTS ON MAJOR RANGE AND TEST FACILITY BASE STRUCTURE.

Section 129 of title 10, United States Code, is amended—

(1) in subsection (c)(1), by inserting after "industrial-type activities" the following: ", the Major Range and Test Facility Base,"; and

(2) by adding at the end the following new subsection:

"(e) Subsections (a), (b), and (c) apply to the Major Range and Test Facility Base (MRTFB) at the installation level. With respect to the MRTFB structure, the term 'funds made available' includes both direct appropriated funds and funds provided by MRTFB customers.".

B–11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MONTGOMERY OF MISSISSIPPI, OR A DESIGNEE

At the end of subtitle B of title V (page 136, after line 8), insert the following new section:

SEC. . ELIGIBILITY FOR ENROLLMENT IN READY RESERVE MOBILIZATION INCOME INSURANCE PROGRAM.

Section 12524 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(g) MEMBERS OF INDIVIDUAL READY RESERVE.—Notwithstanding any other provision of this section, and pursuant to regulations issued by the Secretary, a member of the Individual Ready Reserve who becomes a member of the Selected Reserve shall not be denied eligibility to purchase insurance under this chapter upon becoming a member of the Selected Reserve unless the member previously declined to enroll in the program of insurance under this chapter while a member of the Selected Reserve.".

B–12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE OBERSTAR OF MINNESOTA, OR A DESIGNEE

At the end of subtitle A of title VII (page 274, after line 15), insert the following new section:

SEC. 702. PREVENTIVE HEALTH CARE SCREENING FOR COLON AND PROSTATE CANCER.

(a) MEMBERS AND FORMER MEMBERS.—(1) Subsection (a) of section 1074d of title 10, United States Code, is amended—

(A) by inserting "(1)" before "Female"; and

(B) by adding at the end the following new paragraph:

"(2) Male members and former members of the uniformed services entitled to medical care under section 1074 or 1074a of this title shall be entitled to preventive health care screening for colon or prostate cancer at such intervals as the administering Secretaries consider appropriate.".

(2)(A) The heading of such section is amended to read as follows:

"§ 1074d. Primary and preventive health care services

(B) The item relating to such section in the table of sections at the beginning of chapter 55 of such title is amended to read as follows:

"1074d. Primary and preventive health care services.".

(b) DEPENDENTS.—(1) Section 1077(a) of such title is amended by adding at the end the following new paragraph:

"(14) Preventive health care screening for colon or prostate cancer at the intervals prescribed under section 1074d(a)(2) of this title.".

(2) Section 1079(a)(2) is amended by inserting "or colon and prostate cancer screenings" after "pap smears and mammograms" both places it appears.

B–13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE EDWARDS OF TEXAS, OR REPRESENTATIVE GREEN OF TEXAS, OR A DESIGNEE

In section 723(b)(2) (page 281, line 21), relating to the time for implementation of the uniform health benefit option by Uniformed

Services Treatment Facilities, strike out "October 1, 1996" and insert in lieu thereof "October 1, 1997".

B–14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KLUG OF WISCONSIN, OR A DESIGNEE

Strike out section 743 (page 297, line 12, through page 298, line 2), relating to continued operation of the Uniformed Services University of the Health Sciences, and insert in lieu thereof the following new section:

SEC. 743. UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES AND ARMED FORCES HEALTH PROFESSIONS SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAM.

(a) CLOSURE OF USUHS REQUIRED.—Section 2112 of title 10, United States Code, is amended—

(1) in subsection (c)—

(A) by inserting "and the closure" after "The development"; and

(B) by striking out "subsection (a)" and inserting in lieu thereof "subsections (a) and (b)"; and

(2) by striking out subsection (b) and inserting in lieu thereof the following new subsection:

"(b)(1) Not later than September 30, 2000, the Secretary of Defense shall close the University. To achieve the closure of the University by that date, the Secretary shall begin to terminate the operations of the University beginning in fiscal year 1997. On account of the required closure of the University under this subsection, no students may be admitted to begin studies in the University after the date of the enactment of this subsection.

"(2) Section 2687 of this title and any other provision of law establishing preconditions to the closure of any activity of the Department of Defense shall not apply with regard to the termination of the operations of the University or to the closure of the University pursuant to this subsection.".

(b) FINAL GRADUATION OF USUHS STUDENTS.—Section 2112(a) of such title is amended—

(1) in the second sentence, by striking out ", with the first class graduating not later than September 21, 1982." and inserting in lieu thereof ", except that no students may be awarded degrees by the University after September 30, 2000."; and

(2) by adding at the end the following new sentence: "On a case-by-case basis, the Secretary of Defense may provide for the continued education of a person who, immediately before the closure of the University under subsection (b), was a student in the University and completed substantially all requirements necessary to graduate from the University.".

(c) TERMINATION OF USUHS BOARD OF REGENTS.—Section 2113 of such title is amended by adding at the end the following new subsection:

"(k) The Board shall terminate on September 30, 2000, except that the Secretary of Defense may terminate the Board before that date as part of the termination of the operations of the University under section 2112(b) of this title.".

(d) PROHIBITION ON USUHS RECIPROCAL AGREEMENTS.—Section 2114(e)(1) of such title is amended by adding at the end the following new sentence: "No agreement may be entered into under this subsection after the date of the enactment of this sentence, and all such agreements shall terminate not later than September 30, 2000.".

(e) CONFORMING AMENDMENTS REGARDING USUHS.—(1) Section 178 of such title, relating to the Henry M. Jackson Foundation for the Advancement of Military Medicine, is amended—

(A) in subsection (b), by inserting after "Uniformed Services University of the Health Sciences," the following: "or after the closure of the University, with the Department of Defense,";

(B) in subsection (c)(1)(B), by striking out "the Dean of the Uniformed Services University of the Health Sciences" and inserting in lieu thereof "a person designated by the Secretary of Defense"; and

(C) in subsection (g)(1), by inserting after "Uniformed Services University of the Health Sciences," the following: "or after the closure of the University, the Secretary of Defense".

(2) Section 466(a)(1)(B) of the Public Health Service Act (42 U.S.C. 286a(a)(1)(B)), relating to the Board of Regents of the National Library of Medicine, is amended by striking out "the Dean of the Uniformed Services University of the Health Sciences,".

(f) CLERICAL AMENDMENTS.—(1) The heading of section 2112 of title 10, United States Code, is amended to read to read as follows:

"§ 2112. Establishment and closure of University".

(2) The item relating to such section in the table of sections at the beginning of chapter 104 of such title is amended to read as follows:

"2112. Establishment and closure of University.".

(g) ACTIVE DUTY COMMITMENT UNDER SCHOLARSHIP PROGRAM.—(1) Section 2123(a) of title 10, United States Code, is amended by striking out "one year for each year of participation in the program" and inserting in lieu thereof "seven years following completion of the program".

(2) The amendment made by paragraph (1) shall apply with respect to members of the Armed Forces Health Professions Scholarship and Financial Assistance program who first enroll in the program after the date of the enactment of this Act.

B–15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FARR OF CALIFORNIA, OR A DESIGNEE

At the end of title VIII (page 316, after line 14), insert the following new section:

SEC. . DEMONSTRATION PROJECT FOR PURCHASE OF FIRE, SECURITY, POLICE, PUBLIC WORKS, AND UTILITY SERVICES FROM LOCAL GOVERNMENT AGENCIES.

(a) EXTENSION OF DEMONSTRATION PROJECT.—Section 816 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2820) is amended by adding at the end the following new subsection:

"(c) DURATION OF PROJECT.—The authority to purchase services under the demonstration project shall expire on September 30, 1998.".

(b) REPORTING REQUIREMENTS.—Subsection (b) of such section is amended by striking out ", 1996" and inserting in lieu thereof "of each of the years 1997 and 1998".

B–16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WATERS OF CALIFORNIA, OR A DESIGNEE

At the end of title VIII (page 316, after line 14), insert the following new section:

SEC. 832. STUDY OF IMPACT OF DEFENSE MERGERS ON EMPLOYMENT IN DEFENSE INDUSTRY.

(a) STUDY.—The Secretary of Defense shall conduct a study of the effects of mergers by defense contractors on employment in the defense industry. The study shall cover effects on employment occurring during the three years preceding the date of the enactment of this Act.

(b) REPORT.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the results of the study conducted under subsection (a).

B–17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WATERS OF CALIFORNIA OR A DESIGNEE

At the end of title VIII (page 316, after line 14), insert the following new section:

SEC. 832. STUDY OF EFFECTIVENESS OF DEFENSE MERGERS.

(a) STUDY.—The Secretary of Defense shall conduct a study on the effectivness of mergers by defense contractors on the following:

(1) The elimination of excess capacity within the defense industry.

(2) The degree of change in the dependence by defense contractors on defense-related Federal contracts within their overall business after mergers.

(b) REPORT.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the results of the study conducted under subsection (a).

B–18. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE OBERSTAR OF MINNESOTA OR A DESIGNEE

At the end of title X (page 359, after line 20), insert the following new section:

SEC. 1041. AUTHORITY TO TRANSPORT HEALTH PROFESSIONALS SEEKING TO PROVIDE HEALTH-RELATED HUMANITARIAN RELIEF SERVICES.

Section 402 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(e)(1) Notwithstanding any other provision of law, and subject to paragraph (2), the Secretary of Defense may transport to any country, without charge, health professionals who are traveling in order to furnish health-care related services as part of a humanitarian relief activity. Such transportation may be provided only on an invitational space-required noninterference basis.

"(2) Any expenses incurred as a direct result of providing such transportation shall be paid out of funds specifically appropriated to the Department of Defense for Overseas Humanitarian, Disaster, and Civic Aid (OHDACA) programs of the Department.".

B–19. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GILMAN OF NEW YORK OR A DESIGNEE

At the end of title X (page 359, after line 20), insert the following new section:

SEC. . TRANSFER OF NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES.

(a) AUTHORITY TO TRANSFER NAVAL VESSELS.—The Secretary of the Navy is authorized to transfer to other nations and instrumentalities vessels as follows:

(1) EGYPT.—To the Government of Egypt, the Oliver Hazard Perry class frigate Gallery.

(2) MEXICO.—To the Government of Mexico, the Knox class frigates Stein (FF 1065) and Marvin Shields (FF 1066).

(3) NEW ZEALAND.—To the Government of New Zealand, the Stalwart class ocean surveillance ship Tenacious.

(4) PORTUGAL.—To the Government of Portugal, the Stalwart class ocean surveillance ship Audacious.

(5) TAIWAN.—To the Taipei Economic and Cultural Representative Office in the United States (the Taiwan instrumentality designated pursuant to section 10(a) of the Taiwan Relations Act)—

(A) the Knox class frigates Aylwin (FF 1081), Pharris (FF 1094), and Valdez (FF 1096); and

(B) the Newport class tank landing ship Newport (LST 1179).

(6) THAILAND.—To the Government of Thailand, the Knox class frigate Ouellet (FF 1077).

(b) FORM OF TRANSFER.—(1) Except as provided in paragraphs (2) and (3), each transfer authorized by this section shall be made on a sales basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761), relating to the foreign military sales program.

(2) The transfer authorized by subsection (a)(4) shall be made on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), relating to transfers of excess defense articles.

(3) The transfer authorized by subsection (a)(5)(B) shall be made on a lease basis under section 61 of the Arms Export Control Act (22 U.S.C. 2796).

(c) COSTS OF TRANSFERS.—Any expense of the United States in connection with a transfer authorized by this section shall be charged to the recipient.

(d) EXPIRATION OF AUTHORITY.—The authority granted by subsection (a) shall expire at the end of the two-year period beginning on the date of the enactment of this Act.

(e) REPAIR AND REFURBISHMENT OF VESSELS IN UNITED STATES SHIPYARDS.—The Secretary of the Navy shall require, to the maximum extent possible, as a condition of a transfer of a vessel under this section, that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a shipyard located in the United States, including a United States Navy shipyard.

At the end of division A (page 416, after line 9), insert the following new title:

TITLE XV—DEFENSE AND SECURITY ASSISTANCE

Subtitle A—Military and Related Assistance

SEC. 1501. TERMS OF LOANS UNDER THE FOREIGN MILITARY FINANCING PROGRAM.

Section 31(c) of the Arms Export Control Act (22 U.S.C. 2771(c)) is amended to read as follows:

"(c) Loans available under section 23 shall be provided at rates of interest that are not less than the current average market yield on outstanding marketable obligations of the United States of comparable maturities.".

SEC. 1502. ADDITIONAL REQUIREMENTS UNDER THE FOREIGN MILITARY FINANCING PROGRAM.

(a) AUDIT OF CERTAIN PRIVATE FIRMS.—Section 23 of the Arms Export Control Act (22 U.S.C. 2763) is amended by adding at the end the following new subsection:

"(f) For each fiscal year, the Secretary of Defense, as requested by the Director of the Defense Security Assistance Agency, shall conduct audits on a nonreimbursable basis of private firms that have entered into contracts with foreign governments under which defense articles, defense services, or design and construction services are to be procured by such firms for such governments from financing under this section.".

(b) NOTIFICATION REQUIREMENT WITH RESPECT TO CASH FLOW FINANCING.—Section 23 of such Act (22 U.S.C. 2763), as amended by subsection (a), is further amended by adding at the end the following new subsection:

"(g)(1) For each country and international organization that has been approved for cash flow financing under this section, any letter of offer and acceptance or other purchase agreement, or any amendment thereto, for a procurement of defense articles, defense services, or design and construction services in excess of $100,000,000 that is to be financed in whole or in part with funds made available under this Act or the Foreign Assistance Act of 1961 shall be submitted to the congressional committees specified

in section 634A(a) of the Foreign Assistance Act of 1961 in accordance with the procedures applicable to reprogramming notifications under that section.

"(2) For purposes of this subsection, the term 'cash flow financing' has the meaning given such term in the second subsection (d) of section 25.".

(c) LIMITATIONS ON USE OF FUNDS FOR DIRECT COMMERCIAL CONTRACTS.—Section 23 of such Act (22 U.S.C. 2763), as amended by subsection (b), is further amended by adding at the end the following new subsection:

"(h) Of the amounts made available for a fiscal year to carry out this section, not more than $100,000,000 for such fiscal year may be made available for countries other than Israel and Egypt for the purpose of financing the procurement of defense articles, defense services, and design and construction services that are not sold by the United States Government under this Act.".

(d) ANNUAL ESTIMATE AND JUSTIFICATION FOR SALES PROGRAM.—Section 25(a) of such Act (22 U.S.C. 2765(a)) is amended—

(1) by striking "and" at the end of paragraph (11);

(2) by redesignating paragraph (12) as paragraph (13); and

(3) by inserting after paragraph (11) the following new paragraph:

"(12)(A) a detailed accounting of all articles, services, credits, guarantees, or any other form of assistance furnished by the United States to each country and international organization, including payments to the United Nations, during the preceding fiscal year for the detection and clearance of landmines, including activities relating to the furnishing of education, training, and technical assistance for the detection and clearance of landmines; and

"(B) for each provision of law making funds available or authorizing appropriations for demining activities described in subparagraph (A), an analysis and description of the objectives and activities undertaken during the preceding fiscal year, including the number of personnel involved in performing such activities; and".

SEC. 1503. DRAWDOWN SPECIAL AUTHORITIES.

(a) UNFORESEEN EMERGENCY DRAWDOWN.—Section 506(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(1)) is amended by striking "$75,000,000" and inserting "$100,000,000".

(b) ADDITIONAL DRAWDOWN.—Section 506 of such Act (22 U.S.C. 2318) is amended—

(1) in subsection (a)(2)(A), by striking "defense articles from the stocks" and all that follows and inserting the following: "articles and services from the inventory and resources of any agency of the United States Government and military education and training from the Department of Defense, the President may direct the drawdown of such articles, services, and military education and training—

"(i) for the purposes and under the authorities of—

"(I) chapter 8 of part I (relating to international narcotics control assistance);

"(II) chapter 9 of part I (relating to international disaster assistance); or

"(III) the Migration and Refugee Assistance Act of 1962; or

"(ii) for the purpose of providing such articles, services, and military education and training to Vietnam, Cambodia, and Laos as the President determines are necessary—

"(I) to support cooperative efforts to locate and repatriate members of the United States Armed Forces and civilians employed directly or indirectly by the United States Government who remain unaccounted for from the Vietnam War; and

"(II) to ensure the safety of United States Government personnel engaged in such cooperative efforts and to support Department of Defense-sponsored humanitarian projects associated with such efforts.";

(2) in subsection (a)(2)(B), by striking "$75,000,000" and all that follows and inserting "$150,000,000 in any fiscal year of such articles, services, and military education and training may be provided pursuant to subparagraph (A) of this paragraph—

"(i) not more than $75,000,000 of which may be provided from the drawdown from the inventory and resources of the Department of Defense;

"(ii) not more than $75,000,000 of which may be provided pursuant to clause (i)(I) of such subparagraph; and

"(iii) not more than $15,000,000 of which may be provided to Vietnam, Cambodia, and Laos pursuant to clause (ii) of such subparagraph."; and

(3) in subsection (b)(1), by adding at the end the following: "In the case of drawdowns authorized by subclauses (I) and (III) of subsection (a)(2)(A)(i), notifications shall be provided to those committees at least 15 days in advance of the drawdowns in accordance with the procedures applicable to reprogramming notifications under section 634A.".

(c) NOTICE TO CONGRESS OF EXERCISE OF SPECIAL AUTHORITIES.—Section 652 of such Act (22 U.S.C. 2411) is amended by striking "prior to the date" and inserting "before".

SEC. 1504. TRANSFER OF EXCESS DEFENSE ARTICLES.

(a) IN GENERAL.—Section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) is amended to read as follows:

"SEC. 516. AUTHORITY TO TRANSFER EXCESS DEFENSE ARTICLES.

"(a) AUTHORIZATION.—The President is authorized to transfer excess defense articles under this section to countries for which receipt of such articles was justified pursuant to the annual congressional presentation documents for military assistance programs, or for programs under chapter 8 of part I of this Act, submitted under section 634 of this Act, or for which receipt of such articles was separately justified to the Congress, for the fiscal year in which the transfer is authorized.

"(b) LIMITATIONS ON TRANSFERS.—The President may transfer excess defense articles under this section only if—

"(1) such articles are drawn from existing stocks of the Department of Defense;

"(2) funds available to the Department of Defense for the procurement of defense equipment are not expended in connection with the transfer;

"(3) the transfer of such articles will not have an adverse impact on the military readiness of the United States;

"(4) with respect to a proposed transfer of such articles on a grant basis, such a transfer is preferable to a transfer on a sales basis, after taking into account the potential proceeds from, and likelihood of, such sales, and the comparative foreign policy benefits that may accrue to the United States as the result of a transfer on either a grant or sales basis;

"(5) the President determines that the transfer of such articles will not have an adverse impact on the national technology and industrial base and, particularly, will not reduce the opportunities of entities in the national technology and industrial base to sell new or used equipment to the countries to which such articles are transferred; and

"(6) the transfer of such articles is consistent with the policy framework for the Eastern Mediterranean established under section 620C of this Act.

"(c) TERMS OF TRANSFERS.—

"(1) NO COST TO RECIPIENT COUNTRY.—Excess defense articles may be transferred under this section without cost to the recipient country.

"(2) PRIORITY.—Notwithstanding any other provision of law, the delivery of excess defense articles under this section to member countries of the North Atlantic Treaty Organization (NATO) on the southern and southeastern flank of NATO and to major non-NATO allies on such southern and southeastern flank shall be given priority to the maximum extent feasible over the delivery of such excess defense articles to other countries.

"(d) WAIVER OF REQUIREMENT FOR REIMBURSEMENT OF DEPARTMENT OF DEFENSE EXPENSES.—Section 632(d) shall not apply with respect to transfers of excess defense articles (including transportation and related costs) under this section.

"(e) TRANSPORTATION AND RELATED COSTS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), funds available to the Department of Defense may not be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of this section.

"(2) EXCEPTION.—The President may provide for the transportation of excess defense articles without charge to a country for the costs of such transportation if—

"(A) it is determined that it is in the national interest of the United States to do so;

"(B) the recipient is a developing country receiving less than $10,000,000 of assistance under chapter 5 of part II of this Act (relating to international military education and training) or section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the Foreign Military Financing program) in the fiscal year in which the transportation is provided;

"(C) the total weight of the transfer does not exceed 25,000 pounds; and

"(D) such transportation is accomplished on a space available basis.

"(f) ADVANCE NOTIFICATION TO CONGRESS FOR TRANSFER OF CERTAIN EXCESS DEFENSE ARTICLES.—

"(1) IN GENERAL.—The President may not transfer excess defense articles that are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or excess defense articles valued (in terms of original acquisition cost) at $7,000,000 or more, under this section or under the Arms Export Control Act (22 U.S.C. 2751 et seq.) until 15 days after the date on which the President has provided notice of the proposed transfer to the congressional committees specified in section 634A(a) in accordance with procedures applicable to reprogramming notifications under that section.

"(2) CONTENTS.—Such notification shall include—

"(A) a statement outlining the purposes for which the article is being provided to the country, including whether such article has been previously provided to such country;

"(B) an assessment of the impact of the transfer on the military readiness of the United States;

"(C) an assessment of the impact of the transfer on the national technology and industrial base and, particularly, the impact on opportunities of entities in the national technology and industrial base to sell new or used equipment to the countries to which such articles are to be transferred; and

"(D) a statement describing the current value of such article and the value of such article at acquisition.

"(g) AGGREGATE ANNUAL LIMITATION.—

"(1) IN GENERAL.—The aggregate value of excess defense articles transferred to countries under this section in any fiscal year may not exceed $350,000,000.

"(2) EFFECTIVE DATE.—The limitation contained in paragraph (1) shall apply only with respect to fiscal years beginning after fiscal year 1996.

"(h) CONGRESSIONAL PRESENTATION DOCUMENTS.—Documents described in subsection (a) justifying the transfer of excess defense articles shall include an explanation of the general purposes of providing excess defense articles as well as a table which provides an aggregate annual total of transfers of excess defense articles in the preceding year by country in terms of offers and actual deliveries and in terms of acquisition cost and current value. Such table shall indicate whether such excess defense articles were provided on a grant or sale basis.

"(i) EXCESS COAST GUARD PROPERTY.—For purposes of this section, the term 'excess defense articles' shall be deemed to include excess property of the Coast Guard, and the term 'Department of Defense' shall be deemed, with respect to such excess property, to include the Coast Guard.".

(b) CONFORMING AMENDMENTS.—

(1) ARMS EXPORT CONTROL ACT.—Section 21(k) of the Arms Export Control Act (22 U.S.C. 2761(k)) is amended by striking

"the President shall" and all that follows and inserting the following: "the President shall determine that the sale of such articles will not have an adverse impact on the national technology and industrial base and, particularly, will not reduce the opportunities of entities in the national technology and industrial base to sell new or used equipment to the countries to which such articles are transferred.".

(2) REPEALS.—The following provisions of law are hereby repealed:

(A) Section 502A of the Foreign Assistance Act of 1961 (22 U.S.C. 2303).

(B) Sections 517 through 520 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321k through 2321n).

(C) Section 31(d) of the Arms Export Control Act (22 U.S.C. 2771(d)).

SEC. 1505. EXCESS DEFENSE ARTICLES FOR CERTAIN EUROPEAN COUNTRIES.

Notwithstanding section 516(e) of the Foreign Assistance Act of 1961, during each of the fiscal years 1996 and 1997, funds available to the Department of Defense may be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of section 516 of such Act to countries that are eligible to participate in the Partnership for Peace and that are eligible for assistance under the Support for East European Democracy (SEED) Act of 1989.

Subtitle B—International Military Education and Training

SEC. 1511. ASSISTANCE FOR INDONESIA.

Funds made available for fiscal years 1996 and 1997 to carry out chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.) may be obligated for Indonesia only for expanded military and education training that meets the requirements of clauses (i) through (iv) of the second sentence of section 541 of such Act (22 U.S.C. 2347).

SEC. 1512. ADDITIONAL REQUIREMENTS.

(a) GENERAL AUTHORITY.—Section 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347) is amended in the second sentence in the matter preceding clause (i) by inserting "and individuals who are not members of the government" after "legislators".

(b) EXCHANGE TRAINING.—Section 544 of such Act (22 U.S.C. 2347c) is amended—

(1) by striking "In carrying out this chapter" and inserting "(a) In carrying out this chapter"; and

(2) by adding at the end the following new subsection:

"(b) The President may provide for the attendance of foreign military and civilian defense personnel at flight training schools and programs (including test pilot schools) in the United States without charge, and without charge to funds available to carry out this chapter (notwithstanding section 632(d) of this Act), if such attendance is pursuant to an agreement providing for the exchange of

students on a one-for-one basis each fiscal year between those United States flight training schools and programs (including test pilot schools) and comparable flight training schools and programs of foreign countries.".

(c) ASSISTANCE FOR CERTAIN HIGH-INCOME FOREIGN COUNTRIES.—

(1) AMENDMENT TO THE FOREIGN ASSISTANCE ACT OF 1961.—Chapter 5 of part II of such Act (22 U.S.C. 2347 et seq.) is amended by adding at the end the following new section:

"SEC. 546. PROHIBITION ON GRANT ASSISTANCE FOR CERTAIN HIGH INCOME FOREIGN COUNTRIES.

"(a) IN GENERAL.—None of the funds made available for a fiscal year for assistance under this chapter may be made available for assistance on a grant basis for any of the high-income foreign countries described in subsection (b) for military education and training of military and related civilian personnel of such country.

"(b) HIGH-INCOME FOREIGN COUNTRIES DESCRIBED.—The high-income foreign countries described in this subsection are Austria, Finland, the Republic of Korea, Singapore, and Spain.".

(2) AMENDMENT TO THE ARMS EXPORT CONTROL ACT.—Section 21(a)(1)(C) of the Arms Export Control Act (22 U.S.C. 2761) is amended by inserting "or to any high-income foreign country (as described in that chapter)" after "Foreign Assistance Act of 1961".

Subtitle C—Antiterrorism Assistance

SEC. 1521. ANTITERRORISM TRAINING ASSISTANCE.

(a) IN GENERAL.—Section 571 of the Foreign Assistance Act of 1961 (22 U.S.C. 2349aa) is amended by striking "Subject to the provisions of this chapter" and inserting "Notwithstanding any other provision of law that restricts assistance to foreign countries (other than sections 502B and 620A of this Act)".

(b) LIMITATIONS.—Section 573 of such Act (22 U.S.C. 2349aa–2) is amended—

(1) in the heading, by striking "SPECIFIC AUTHORITIES AND";

(2) by striking subsection (a);

(3) by redesignating subsections (b) through (f) as subsections (a) through (e), respectively; and

(4) in subsection (c) (as redesignated)—

(A) by striking paragraphs (1) and (2);

(B) by redesignating paragraphs (3) through (5) as paragraphs (1) through (3), respectively; and

(C) by amending paragraph (2) (as redesignated) to read as follows:

"(2)(A) Except as provided in subparagraph (B), funds made available to carry out this chapter shall not be made available for the procurement of weapons and ammunition.

"(B) Subparagraph (A) shall not apply to small arms and ammunition in categories I and III of the United States Munitions List that are integrally and directly related to antiterrorism training provided under this chapter if, at least 15 days before obligating those funds, the President notifies the appropriate congressional

committees specified in section 634A of this Act in accordance with the procedures applicable to reprogramming notifications under such section.

"(C) The value (in terms of original acquisition cost) of all equipment and commodities provided under this chapter in any fiscal year may not exceed 25 percent of the funds made available to carry out this chapter for that fiscal year.".

(c) ANNUAL REPORT.—Section 574 of such Act (22 U.S.C. 2349aa–3) is hereby repealed.

(d) TECHNICAL CORRECTIONS.—Section 575 (22 U.S.C. 2349aa–4) and section 576 (22 U.S.C. 2349aa–5) of such Act are redesignated as sections 574 and 575, respectively.

SEC. 1522. RESEARCH AND DEVELOPMENT EXPENSES.

Funds made available for fiscal years 1996 and 1997 to carry out chapter 8 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2349aa et seq.; relating to antiterrorism assistance) may be made available to the Technical Support Working Group of the Department of State for research and development expenses related to contraband detection technologies or for field demonstrations of such technologies (whether such field demonstrations take place in the United States or outside the United States).

Subtitle D—Narcotics Control Assistance

SEC. 1531. ADDITIONAL REQUIREMENTS.

(a) POLICY AND GENERAL AUTHORITIES.—Section 481(a) of the Foreign Assistance Act (22 U.S.C. 2291(a)) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(B) by inserting after subparagraph (C) the following new subparagraph:

"(D) International criminal activities, particularly international narcotics trafficking, money laundering, and corruption, endanger political and economic stability and democratic development, and assistance for the prevention and suppression of international criminal activities should be a priority for the United States."; and

(2) in paragraph (4), by adding before the period at the end the following: ", or for other anticrime purposes".

(b) CONTRIBUTIONS AND REIMBURSEMENT.—Section 482(c) of that Act (22 U.S.C. 2291a(c)) is amended—

(1) by striking "CONTRIBUTION BY RECIPIENT COUNTRY.—To" and inserting "CONTRIBUTIONS AND REIMBURSEMENT.—(1) To"; and

(2) by adding at the end the following new paragraphs:

"(2)(A) The President is authorized to accept contributions from foreign governments to carry out the purposes of this chapter. Such contributions shall be deposited as an offsetting collection to the applicable appropriation account and may be used under the same terms and conditions as funds appropriated pursuant to this chapter.

"(B) At the time of submission of the annual congressional presentation documents required by section 634(a), the President shall provide a detailed report on any contributions received in the preceding fiscal year, the amount of such contributions, and the purposes for which such contributions were used.

"(3) The President is authorized to provide assistance under this chapter on a reimbursable basis. Such reimbursements shall be deposited as an offsetting collection to the applicable appropriation and may be used under the same terms and conditions as funds appropriated pursuant to this chapter.".

(c) IMPLEMENTATION OF LAW ENFORCEMENT ASSISTANCE.—Section 482 of such Act (22 U.S.C. 2291a) is amended by adding at the end the following new subsections:

"(f) TREATMENT OF FUNDS.—Funds transferred to and consolidated with funds appropriated pursuant to this chapter may be made available on such terms and conditions as are applicable to funds appropriated pursuant to this chapter. Funds so transferred or consolidated shall be apportioned directly to the bureau within the Department of State responsible for administering this chapter.

"(g) EXCESS PROPERTY.—For purposes of this chapter, the Secretary of State may use the authority of section 608, without regard to the restrictions of such section, to receive nonlethal excess property from any agency of the United States Government for the purpose of providing such property to a foreign government under the same terms and conditions as funds authorized to be appropriated for the purposes of this chapter.".

SEC. 1532. NOTIFICATION REQUIREMENT.

(a) IN GENERAL.—The authority of section 1003(d) of the National Narcotics Control Leadership Act of 1988 (21 U.S.C. 1502(d)) may be exercised with respect to funds authorized to be appropriated pursuant to the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) and with respect to the personnel of the Department of State only to the extent that the appropriate congressional committees have been notified 15 days in advance in accordance with the reprogramming procedures applicable under section 634A of that Act (22 U.S.C. 2394).

(b) DEFINITION.—For purposes of this section, the term "appropriate congressional committees" means the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

SEC. 1533. WAIVER OF RESTRICTIONS FOR NARCOTICS-RELATED ECONOMIC ASSISTANCE.

For each of the fiscal years 1996 and 1997, narcotics-related assistance under part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) may be provided notwithstanding any other provision of law that restricts assistance to foreign countries (other than section 490(e) or section 502B of that Act (22 U.S.C. 2291j(e) and 2304)) if, at least 15 days before obligating funds for such assistance, the President notifies the appropriate congressional committees (as defined in section 481(e) of that Act (22 U.S.C. 2291(e))) in accordance with the procedures applicable to reprogramming notifications under section 634A of that Act (22 U.S.C. 2394).

Subtitle E—Other Provisions

SEC. 1541. STANDARDIZATION OF CONGRESSIONAL REVIEW PROCEDURES FOR ARMS TRANSFERS.

(a) THIRD COUNTRY TRANSFERS UNDER FMS SALES.—Section 3(d)(2) of the Arms Export Control Act (22 U.S.C. 2753(d)(2)) is amended—

(1) in subparagraph (A), by striking ", as provided for in sections 36(b)(2) and 36(b)(3) of this Act";

(2) in subparagraph (B), by striking "law" and inserting "joint resolution"; and

(3) by adding at the end the following:

"(C) If the President states in his certification under subparagraph (A) or (B) that an emergency exists which requires that consent to the proposed transfer become effective immediately in the national security interests of the United States, thus waiving the requirements of that subparagraph, the President shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate immediate consent to the transfer and a discussion of the national security interests involved.

"(D)(i) Any joint resolution under this paragraph shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

"(ii) For the purpose of expediting the consideration and enactment of joint resolutions under this paragraph, a motion to proceed to the consideration of any such joint resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives.".

(b) THIRD COUNTRY TRANSFERS UNDER COMMERCIAL SALES.—Section 3(d)(3) of such Act (22 U.S.C. 2753(d)(3)) is amended—

(1) by inserting "(A)" after "(3)";

(2) in the first sentence—

(A) by striking "at least 30 calendar days"; and

(B) by striking "report" and inserting "certification"; and

(3) by striking the last sentence and inserting the following: "Such certification shall be submitted—

"(i) at least 15 calendar days before such consent is given in the case of a transfer to a country which is a member of the North Atlantic Treaty Organization or Australia, Japan, or New Zealand; and

"(ii) at least 30 calendar days before such consent is given in the case of a transfer to any other country,

unless the President states in his certification that an emergency exists which requires that consent to the proposed transfer become effective immediately in the national security interests of the United States. If the President states in his certification that such an emergency exists (thus waiving the requirements of clause (i) or (ii), as the case may be, and of subparagraph (B)) the President shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate that consent to the proposed transfer

become effective immediately and a discussion of the national security interests involved.

"(B) Consent to a transfer subject to subparagraph (A) shall become effective after the end of the 15-day or 30-day period specified in subparagraph (A)(i) or (ii), as the case may be, only if the Congress does not enact, within that period, a joint resolution prohibiting the proposed transfer.

"(C)(i) Any joint resolution under this paragraph shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

"(ii) For the purpose of expediting the consideration and enactment of joint resolutions under this paragraph, a motion to proceed to the consideration of any such joint resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives.".

(c) COMMERCIAL SALES.—Section 36(c)(2) of such Act (22 U.S.C. 2776(c)(2)) is amended by amending subparagraphs (A) and (B) to read as follows:

"(A) in the case of a license for an export to the North Atlantic Treaty Organization, any member country of that Organization or Australia, Japan, or New Zealand, shall not be issued until at least 15 calendar days after the Congress receives such certification, and shall not be issued then if the Congress, within that 15-day period, enacts a joint resolution prohibiting the proposed export; and

"(B) in the case of any other license, shall not be issued until at least 30 calendar days after the Congress receives such certification, and shall not be issued then if the Congress, within that 30-day period, enacts a joint resolution prohibiting the proposed export.".

(d) COMMERCIAL MANUFACTURING AGREEMENTS.—Section 36(d) of such Act (22 U.S.C. 2776(d)) is amended—

(1) by inserting "(1)" after "(d)";

(2) by striking "for or in a country not a member of the North Atlantic Treaty Organization"; and

(3) by adding at the end the following:

"(2) A certification under this subsection shall be submitted—

"(A) at least 15 days before approval is given in the case of an agreement for or in a country which is a member of the North Atlantic Treaty Organization or Australia, Japan, or New Zealand; and

"(B) at least 30 days before approval is given in the case of an agreement for or in any other country;

unless the President states in his certification that an emergency exists which requires the immediate approval of the agreement in the national security interests of the United States.

"(3) If the President states in his certification that an emergency exists which requires the immediate approval of the agreement in the national security interests of the United States, thus waiving the requirements of paragraph (4), he shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate the im-

mediate approval of the agreement and a discussion of the national security interests involved.

"(4) Approval for an agreement subject to paragraph (1) may not be given under section 38 if the Congress, within the 15-day or 30-day period specified in paragraph (2)(A) or (B), as the case may be, enacts a joint resolution prohibiting such approval.

"(5)(A) Any joint resolution under paragraph (4) shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

"(B) For the purpose of expediting the consideration and enactment of joint resolutions under paragraph (4), a motion to proceed to the consideration of any such joint resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives.".

(e) GOVERNMENT-TO-GOVERNMENT LEASES.—

(1) CONGRESSIONAL REVIEW PERIOD.—Section 62 of such Act (22 U.S.C. 2796a) is amended—

(A) in subsection (a), by striking "Not less than 30 days before" and inserting "Before";

(B) in subsection (b)—

(i) by striking "determines, and immediately reports to the Congress" and inserting "states in his certification"; and

(ii) by adding at the end of the subsection the following: "If the President states in his certification that such an emergency exists, he shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate that the lease be entered into immediately and a discussion of the national security interests involved."; and

(C) by adding at the end of the section the following:

"(c) The certification required by subsection (a) shall be transmitted—

"(1) not less than 15 calendar days before the agreement is entered into or renewed in the case of an agreement with the North Atlantic Treaty Organization, any member country of that Organization or Australia, Japan, or New Zealand; and

"(2) not less than 30 calendar days before the agreement is entered into or renewed in the case of an agreement with any other organization or country.".

(2) CONGRESSIONAL DISAPPROVAL.—Section 63(a) of such Act (22 U.S.C. 2796b(a)) is amended—

(A) by striking "(a)(1)" and inserting "(a)";

(B) by striking out the "30 calendar days after receiving the certification with respect to that proposed agreement pursuant to section 62(a)," and inserting in lieu thereof "the 15-day or 30-day period specified in section 62(c) (1) or (2), as the case may be,"; and

(C) by striking paragraph (2).

(f) EFFECTIVE DATE.—The amendments made by this section apply with respect to certifications required to be submitted on or after the date of the enactment of this Act.

SEC. 1542. STANDARDIZATION OF THIRD COUNTRY TRANSFERS OF DEFENSE ARTICLES.

Section 3 of the Arms Export Control Act (22 U.S.C. 2753) is amended by inserting after subsection (a) the following new subsection:

"(b) The consent of the President under paragraph (2) of subsection (a) or under paragraph (1) of section 505(a) of the Foreign Assistance Act of 1961 (as it relates to subparagraph (B) of such paragraph) shall not be required for the transfer by a foreign country or international organization of defense articles sold by the United States under this Act if—

"(1) such articles constitute components incorporated into foreign defense articles;

"(2) the recipient is the government of a member country of the North Atlantic Treaty Organization, the Government of Australia, the Government of Japan, or the Government of New Zealand;

"(3) the recipient is not a country designated under section 620A of the Foreign Assistance Act of 1961;

"(4) the United States-origin components are not—

"(A) significant military equipment (as defined in section 47(9));

"(B) defense articles for which notification to Congress is required under section 36(b); and

"(C) identified by regulation as Missile Technology Control Regime items; and

"(5) the foreign country or international organization provides notification of the transfer of the defense articles to the United States Government not later than 30 days after the date of such transfer.".

SEC. 1543. INCREASED STANDARDIZATION, RATIONALIZATION, AND INTEROPERABILITY OF ASSISTANCE AND SALES PROGRAMS.

Paragraph (6) of section 515(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321i(a)(6)) is amended by striking "among members of the North Atlantic Treaty Organization and with the Armed Forces of Japan, Australia, and New Zealand".

SEC. 1544. DEFINITION OF SIGNIFICANT MILITARY EQUIPMENT.

Section 47 of the Arms Export Control Act (22 U.S.C. 2794) is amended—

(1) in paragraph (7), by striking "and" at the end;

(2) in paragraph (8), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(9) 'significant military equipment' means articles—

"(A) for which special export controls are warranted because of the capacity of such articles for substantial military utility or capability; and

"(B) identified on the United States Munitions List.".

SEC. 1545. ELIMINATION OF ANNUAL REPORTING REQUIREMENT RELATING TO THE SPECIAL DEFENSE ACQUISITION FUND.

(a) IN GENERAL.—Section 53 of the Arms Export Control Act (22 U.S.C. 2795b) is hereby repealed.

(b) CONFORMING AMENDMENT.—Section 51(a)(4) of such Act (22 U.S.C. 2795(a)(4)) is amended—

(1) by striking "(a)"; and

(2) by striking subparagraph (B).

SEC. 1546. COST OF LEASED DEFENSE ARTICLES THAT HAVE BEEN LOST OR DESTROYED.

Section 61(a)(4) of the Arms Export Control Act (22 U.S.C. 2796(a)(4)) is amended by striking "and the replacement cost" and all that follows and inserting the following: "and, if the articles are lost or destroyed while leased—

"(A) in the event the United States intends to replace the articles lost or destroyed, the replacement cost (less any depreciation in the value) of the articles; or

"(B) in the event the United States does not intend to replace the articles lost or destroyed, an amount not less than the actual value (less any depreciation in the value) specified in the lease agreement.".

SEC. 1547. DESIGNATION OF MAJOR NON-NATO ALLIES.

(a) DESIGNATION.—

(1) NOTICE TO CONGRESS.—Chapter 2 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 et seq.), as amended by this title, is further amended by adding at the end the following new section:

"SEC. 517. DESIGNATION OF MAJOR NON-NATO ALLIES.

"(a) NOTICE TO CONGRESS.—The President shall notify the Congress in writing at least 30 days before—

"(1) designating a country as a major non-NATO ally for purposes of this Act and the Arms Export Control Act (22 U.S.C. 2751 et seq.); or

"(2) terminating such a designation.

"(b) INITIAL DESIGNATIONS.—Australia, Egypt, Israel, Japan, the Republic of Korea, and New Zealand shall be deemed to have been so designated by the President as of the effective date of this section, and the President is not required to notify the Congress of such designation of those countries.".

(2) DEFINITION.—Section 644 of such Act (22 U.S.C. 2403) is amended by adding at the end the following:

"(q) 'Major non-NATO ally' means a country which is designated in accordance with section 517 as a major non-NATO ally for purposes of this Act and the Arms Export Control Act (22 U.S.C. 2751 et seq.).".

(3) EXISTING DEFINITIONS.—(A) The last sentence of section 21(g) of the Arms Export Control Act (22 U.S.C. 2761(g)) is repealed.

(B) Section 65(d) of such Act (22 U.S.C. 2796d(d)) is amended—

(i) by striking "or major non-NATO"; and

(ii) by striking out "or a" and all that follows through "Code".

(b) COOPERATIVE TRAINING AGREEMENTS.—Section 21(g) of the Arms Export Control Act (22 U.S.C. 2761(g)) is amended in the first sentence by striking "similar agreements" and all that follows

through "other countries" and inserting "similar agreements with countries".

SEC. 1548. CERTIFICATION THRESHOLDS.

(a) INCREASE IN DOLLAR THRESHOLDS.—The Arms Export Control Act (22 U.S.C. 2751 et seq.) is amended—

(1) in section 3(d) (22 U.S.C. 2753(d))—

(A) in paragraphs (1) and (3), by striking "$14,000,000" each place it appears and inserting "$25,000,000"; and

(B) in paragraphs (1) and (3), by striking "$50,000,000" each place it appears and inserting "$75,000,000";

(2) in section 36 (22 U.S.C. 2776)—

(A) in subsections (b)(1), (b)(5)(C), and (c)(1), by striking "$14,000,000" each place it appears and inserting "$25,000,000";

(B) in subsections (b)(1), (b)(5)(C), and (c)(1), by striking "$50,000,000" each place it appears and inserting "$75,000,000"; and

(C) in subsections (b)(1) and (b)(5)(C), by striking "$200,000,000" each place it appears and inserting "$300,000,000"; and

(3) in section 63(a) (22 U.S.C. 2796b(a))—

(A) by striking "$14,000,000" and inserting "$25,000,000"; and

(B) by striking "$50,000,000" and inserting "$75,000,000".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply with respect to certifications submitted on or after the date of the enactment of this Act.

SEC. 1549. DEPLETED URANIUM AMMUNITION.

Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2370 et seq.), as amended by this title, is further amended by adding at the end the following new section:

"SEC. 620G. DEPLETED URANIUM AMMUNITION.

"(a) PROHIBITION.—Except as provided in subsection (b), none of the funds made available to carry out this Act or any other Act may be made available to facilitate in any way the sale of M–833 antitank shells or any comparable antitank shells containing a depleted uranium penetrating component to any country other than—

"(1) a country that is a member of the North Atlantic Treaty Organization;

"(2) a country that has been designated as a major non-NATO ally (as defined in section 644(q)); or

"(3) Taiwan.

"(b) EXCEPTION.—The prohibition contained in subsection (a) shall not apply with respect to the use of funds to facilitate the sale of antitank shells to a country if the President determines that to do so is in the national security interest of the United States.".

SEC. 1550. END-USE MONITORING OF DEFENSE ARTICLES AND DEFENSE SERVICES.

(a) IN GENERAL.—The Arms Export Control Act (22 U.S.C. 2751 et seq.) is amended by inserting after chapter 3 the following new chapter:

"CHAPTER 3A—END-USE MONITORING OF DEFENSE ARTICLES AND DEFENSE SERVICES

"SEC. 40A. END-USE MONITORING OF DEFENSE ARTICLES AND DEFENSE SERVICES.

"(a) ESTABLISHMENT OF MONITORING PROGRAM.—

"(1) IN GENERAL.—In order to improve accountability with respect to defense articles and defense services sold, leased, or exported under this Act or the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), the President shall establish a program which provides for the end-use monitoring of such articles and services.

"(2) REQUIREMENTS OF PROGRAM.—To the extent practicable, such program—

"(A) shall provide for the end-use monitoring of defense articles and defense services in accordance with the standards that apply for identifying high-risk exports for regular end-use verification developed under section 38(g)(7) of this Act (commonly referred to as the 'Blue Lantern' program); and

"(B) shall be designed to provide reasonable assurance that—

"(i) the recipient is complying with the requirements imposed by the United States Government with respect to use, transfers, and security of defense articles and defense services; and

"(ii) such articles and services are being used for the purposes for which they are provided.

"(b) CONDUCT OF PROGRAM.—In carrying out the program established under subsection (a), the President shall ensure that the program—

"(1) provides for the end-use verification of defense articles and defense services that incorporate sensitive technology, defense articles and defense services that are particularly vulnerable to diversion or other misuse, or defense articles or defense services whose diversion or other misuse could have significant consequences; and

"(2) prevents the diversion (through reverse engineering or other means) of technology incorporated in defense articles.

"(c) REPORT TO CONGRESS.—Not later than 6 months after the date of the enactment of this section, and annually thereafter as a part of the annual congressional presentation documents submitted under section 634 of the Foreign Assistance Act of 1961, the President shall transmit to the Congress a report describing the actions taken to implement this section, including a detailed accounting of the costs and number of personnel associated with the monitoring program.

"(d) THIRD COUNTRY TRANSFERS.—For purposes of this section, defense articles and defense services sold, leased, or exported under this Act or the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) includes defense articles and defense services that are transferred to a third country or other third party.".

(b) EFFECTIVE DATE.—Section 40A of the Arms Export Control Act, as added by subsection (a), applies with respect to defense ar-

ticles and defense services provided before or after the date of the enactment of this Act.

SEC. 1551. BROKERING ACTIVITIES RELATING TO COMMERCIAL SALES OF DEFENSE ARTICLES AND SERVICES.

(a) IN GENERAL.—Section 38(b)(1)(A) of the Arms Export Control Act (22 U.S.C. 2778(b)(1)(A)) is amended—

(1) in the first sentence, by striking "As prescribed in regulations" and inserting "(i) As prescribed in regulations"; and

(2) by adding at the end the following new clause:

"(ii)(I) As prescribed in regulations issued under this section, every person (other than an officer or employee of the United States Government acting in official capacity) who engages in the business of brokering activities with respect to the manufacture, export, import, or transfer of any defense article or defense service designated by the President under subsection (a)(1), or in the business of brokering activities with respect to the manufacture, export, import, or transfer of any foreign defense article or defense service (as defined in subclause (IV)), shall register with the United States Government agency charged with the administration of this section, and shall pay a registration fee which shall be prescribed by such regulations.

"(II) Such brokering activities shall include the financing, transportation, freight forwarding, or taking of any other action that facilitates the manufacture, export, or import of a defense article or defense service.

"(III) No person may engage in the business of brokering activities described in subclause (I) without a license, issued in accordance with this Act, except that no license shall be required for such activities undertaken by or for an agency of the United States Government—

"(aa) for use by an agency of the United States Government; or

"(bb) for carrying out any foreign assistance or sales program authorized by law and subject to the control of the President by other means.

"(IV) For purposes of this clause, the term 'foreign defense article or defense service' includes any non-United States defense article or defense service of a nature described on the United States Munitions List regardless of whether such article or service is of United States origin or whether such article or service contains United States origin components.".

(b) EFFECTIVE DATE.—Section 38(b)(1)(A)(ii) of the Arms Export Control Act, as added by subsection (a), shall apply with respect to brokering activities engaged in beginning on or after 120 days after the enactment of this Act.

SEC. 1552. RETURN AND EXCHANGES OF DEFENSE ARTICLES PREVIOUSLY TRANSFERRED PURSUANT TO THE ARMS EXPORT CONTROL ACT.

(a) REPAIR OF DEFENSE ARTICLES.—Section 21 of the Arms Export Control Act (22 U.S.C. 2761) is amended by adding at the end the following new subsection:

"(l) REPAIR OF DEFENSE ARTICLES.—

"(1) IN GENERAL.—The President may acquire a repairable defense article from a foreign country or international organization if such defense article—

"(A) previously was transferred to such country or organization under this Act;

"(B) is not an end item; and

"(C) will be exchanged for a defense article of the same type that is in the stocks of the Department of Defense.

"(2) LIMITATION.—The President may exercise the authority provided in paragraph (1) only to the extent that the Department of Defense—

"(A)(i) has a requirement for the defense article being returned; and

"(ii) has available sufficient funds authorized and appropriated for such purpose; or

"(B)(i) is accepting the return of the defense article for subsequent transfer to another foreign government or international organization pursuant to a letter of offer and acceptance implemented in accordance with this Act; and

"(ii) has available sufficient funds provided by or on behalf of such other foreign government or international organization pursuant to a letter of offer and acceptance implemented in accordance with this Act.

"(3) REQUIREMENT.—(A) The foreign government or international organization receiving a new or repaired defense article in exchange for a repairable defense article pursuant to paragraph (1) shall, upon the acceptance by the United States Government of the repairable defense article being returned, be charged the total cost associated with the repair and replacement transaction.

"(B) The total cost charged pursuant to subparagraph (A) shall be the same as that charged the United States Armed Forces for a similar repair and replacement transaction, plus an administrative surcharge in accordance with subsection (e)(1)(A) of this section.

"(4) RELATIONSHIP TO CERTAIN OTHER PROVISIONS OF LAW.—The authority of the President to accept the return of a repairable defense article as provided in subsection (a) shall not be subject to chapter 137 of title 10, United States Code, or any other provision of law relating to the conclusion of contracts.".

(b) RETURN OF DEFENSE ARTICLES.—Section 21 of such Act (22 U.S.C. 2761), as amended by subsection (a), is further amended by adding at the end the following new subsection:

"(m) RETURN OF DEFENSE ARTICLES.—

"(1) IN GENERAL.—The President may accept the return of a defense article from a foreign country or international organization if such defense article—

"(A) previously was transferred to such country or organization under this Act;

"(B) is not significant military equipment (as defined in section 47(9) of this Act); and

"(C) is in fully functioning condition without need of repair or rehabilitation.

"(2) LIMITATION.—The President may exercise the authority provided in paragraph (1) only to the extent that the Department of Defense—

"(A)(i) has a requirement for the defense article being returned; and

"(ii) has available sufficient funds authorized and appropriated for such purpose; or

"(B)(i) is accepting the return of the defense article for subsequent transfer to another foreign government or international organization pursuant to a letter of offer and acceptance implemented in accordance with this Act; and

"(ii) has available sufficient funds provided by or on behalf of such other foreign government or international organization pursuant to a letter of offer and acceptance implemented in accordance with this Act.

"(3) CREDIT FOR TRANSACTION.—Upon acquisition and acceptance by the United States Government of a defense article under paragraph (1), the appropriate Foreign Military Sales account of the provider shall be credited to reflect the transaction.

"(4) RELATIONSHIP TO CERTAIN OTHER PROVISIONS OF LAW.—The authority of the President to accept the return of a defense article as provided in paragraph (1) shall not be subject to chapter 137 of title 10, United States Code, or any other provision of law relating to the conclusion of contracts.".

(c) REGULATIONS.—Under the direction of the President, the Secretary of Defense shall promulgate regulations to implement subsections (l) and (m) of section 21 of the Arms Export Control Act, as added by this section.

SEC. 1553. NATIONAL SECURITY INTEREST DETERMINATION TO WAIVE REIMBURSEMENT OF DEPRECIATION FOR LEASED DEFENSE ARTICLES.

(a) IN GENERAL.—Section 61(a) of the Arms Export Control Act (22 U.S.C. 2796(a)) is amended—

(1) in the second sentence, by striking ", or to any defense article which has passed three-quarters of its normal service life"; and

(2) by inserting after the second sentence the following new sentence: "The President may waive the requirement of paragraph (4) for reimbursement of depreciation for any defense article which has passed three-quarters of its normal service life if the President determines that to do so is important to the national security interest of the United States.".

(b) EFFECTIVE DATE.—The third sentence of section 61(a) of the Arms Export Control Act, as added by subsection (a)(2), shall apply only with respect to a defense article leased on or after the date of the enactment of this Act.

SEC. 1554. ELIGIBILITY OF PANAMA UNDER ARMS EXPORT CONTROL ACT.

The Government of the Republic of Panama shall be eligible to purchase defense articles and defense services under the Arms Export Control Act (22 U.S.C. 2751 et seq.), except as otherwise specifically provided by law.

B–20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TRAFICANT OF OHIO, OR A DESIGNEE

At the end of title X (page 359, after line 20), insert the following new section:

SEC. 1041. APPLICATION OF BUY AMERICAN ACT PRINCIPLES.

(a) REINSTATEMENT OF PRINCIPLES.—(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) REPORT.—The Secretary of Defense shall submit to Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 1997. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) DEFINITION.—For purposes of this section, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

B–21. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SCARBOROUGH OF FLORIDA, OR A DESIGNEE

At the end of title X (page 359, after line 20), insert the following new section:

SEC. . TREATMENT OF EXCESS DEFENSE ARTICLES OF COAST GUARD UNDER FOREIGN ASSISTANCE ACT OF 1961.

(a) DEFINITION OF EXCESS DEFENSE ARTICLE.—Section 644(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(g)) is amended by adding at the end the following new sentence: "Such term includes excess property of the Coast Guard.".

(b) CONFORMING AMENDMENT.—Section 517 of such Act (22 U.S.C. 2321k) is amended by striking out subsection (k).

B–22. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PICKETT OF VIRGINIA, OR A DESIGNEE

At the end of title X (page 359, after line 20), insert the following new section:

SEC. . FORFEITURE OF RETIRED PAY OF MEMBERS WHO ARE ABSENT FROM THE UNITED STATES TO AVOID PROSECUTION.

(a) DEVELOPMENT OF FORFEITURE PROCEDURES.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall develop uniform procedures under which the Secretary of a military department may cause to be forfeited the retired pay of a member or former member of the uniformed services who willfully remains outside the United States to avoid criminal prosecution or civil liability. The types of offenses for which the procedures shall be used shall include the offenses specified in section 8312 of title 5, United States Code, and such other criminal offenses and civil proceedings as the Secretary of Defense considers to be appropriate.

(b) REPORT TO CONGRESS.—The Secretary of Defense shall submit to Congress a report describing the procedures developed under subsection (a). The report shall include recommendations regarding changes to existing law, including section 8313 of title 5, United States Code, that the Secretary determines are necessary to fully implement the procedures.

(c) RETIRED PAY DEFINED.—In this section, the term "retired pay" means retired pay, retirement pay, retainer pay, or equivalent pay, payable under a statute to a member or former member of a uniformed service.

B–23. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROWDER OF ALABAMA, OR A DESIGNEE

At the end of title X (page 359, after line 20), insert the following new section:

SEC. . CHEMICAL STOCKPILE EMERGENCY PREPAREDNESS PROGRAM.

(a) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives a report assessing the implementation and success of the establishment of site-specific Integrated Product and Process Teams as a management tool for the Chemical Stockpile Emergency Preparedness Program.

(b) CONTINGENT MANDATED REFORMS.—If at the end of the 120-day period beginning on the date of the enactment of this Act the Secretary of the Army and the Director of the Federal Emergency Management Agency have been unsuccessful in implementing a site-specific Integrated Product and Process Team with each of the affected States, the Secretary of the Army shall—

(1) assume full control and responsibility for the Chemical Stockpile Emergency Preparedness Program (eliminating the role of the Director of the Federal Emergency Management Agency as joint manager of the program);

(2) establish programmatic agreement with each of the affected States regarding program requirements, implementation schedules, training and exercise requirements, and funding (to include direct grants for program support);

(3) clearly define the goals of the program; and

(4) establish fiscal constraints for the program.

B–24. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCKINNEY OF GEORGIA, OR A DESIGNEE

At the end of title X (page 359, after line 20), insert the following new section:

SEC. . QUARTERLY REPORTS REGARDING COPRODUCTION AGREEMENTS.

(a) QUARTERLY REPORTS ON COPRODUCTION AGREEMENTS.—Section 36(a) of the Arms Export Control Act (22 U.S.C. 2776(a)) is amended—

(1) by striking out "and" at the end of paragraph (10);

(2) by striking out the period at the end of paragraph (11) and inserting in lieu thereof "; and"; and

(3) by inserting after paragraph (11) the following new paragraph:

"(12) a report on all concluded government-to-government agreements regarding foreign coproduction of defense articles of United States origin and all other concluded agreements involving coproduction or licensed production outside of the United States of defense articles of United States origin (including coproduction memoranda of understanding or agreement) that have not been previously reported under this subsection, which shall include—

"(A) the identity of the foreign countries, international organizations, or foreign firms involved;

"(B) a description and the estimated value of the articles authorized to be produced, and an estimate of the quantity of the articles authorized to be produced;

"(C) a description of any restrictions on third party transfers of the foreign-manufactured articles; and

"(D) if any such agreement does not provide for United States access to and verification of quantities of articles produced overseas and their disposition in the foreign country, a description of alternative measures and controls incorporated in the coproduction or licensing program to ensure compliance with restrictions in the agreement on production quantities and third party transfers.".

(b) EFFECTIVE DATE.—Paragraph (12) of section 36(a) of the Arms Export Control Act, as added by subsection (a)(3), does not apply with respect to an agreement described in such paragraph entered into before the date of the enactment of this Act.

B–25. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SOLOMON OF NEW YORK, OR A DESIGNEE

At the end of title X (page 359, after line 20), insert the following new section:

SEC. . FAILURE TO COMPLY WITH VETERANS' PREFERENCE REQUIREMENTS TO BE TREATED AS A PROHIBITED PERSONNEL PRACTICE.

(a) IN GENERAL.—An employee of the Department of Defense who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or fail to take any personnel action with respect to an employee or applicant for employment if the taking of or failure to take such action would violate any law, rule, or regulation implementing, or directly concerning, veterans' preference.

(b) EFFECT OF NONCOMPLIANCE.—A failure to comply with subsection (a) shall be treated as a prohibited personnel practice.

(c) REPORTING REQUIREMENT.—The Secretary of Defense shall, not later than 6 months after the date of the enactment of this Act, submit a written report to each House of Congress with respect to—

(1) the implementation of this section; and

(2) the administration of veterans' preference requirements by the Department of Defense generally.

(d) DEFINITIONS.—For the purpose of this section, the terms "personnel action" and "prohibited personnel practice" shall have the respective meanings given them by section 2302 of title 5, United States Code.

B–26. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MARKEY OF MASSACHUSETTS, OR A DESIGNEE

At the end of title X (page 359, after line 20), insert the following new section:

SEC. . SENSE OF CONGRESS REGARDING NUCLEAR WEAPONS PROLIFERATION.

(a) FINDINGS.—The Congress finds that—

(1) intelligence investigations by the United States have revealed transfers from the People's Republic of China (hereafter in this section referred to as the "PRC") to Pakistan of sophisticated equipment important to the development of nuclear weapons;

(2) the PRC acceded to the Treaty on the Non-Proliferation of Nuclear Weapons (hereafter in this section referred to as the "NPT") as a nuclear-weapon state on March 9, 1992;

(3) Article I of the NPT stipulates that a nuclear-weapon state party to the treaty shall not in any way encourage, assist, or induce any nonnuclear-weapon state to manufacture or otherwise acquire nuclear weapons;

(4) the NPT establishes a non-nuclear-weapon state as one which has not manufactured and exploded a nuclear weapon by January 1, 1967;

(5) Pakistan had not manufactured and exploded a nuclear weapon by January 1, 1967;

(6) Article III of the NPT requires each party to the treaty not to provide to any nonnuclear-weapon state equipment or material designed or prepared for the processing, use, or production of special fissionable material, unless the material is subject to the safeguards stipulated in the treaty;

(7) Pakistan has not acceded to the NPT, and nuclear-related equipment and material provided to Pakistan is not subject to international safeguards;

(8) under the NPT, assisting a nonnuclear-weapon state to acquire unsafeguarded nuclear material important to the manufacture of nuclear weapons is a violation of Articles I and III of the NPT;

(9) this transfer constitutes the latest example in a consistent pattern of nuclear weapon-related exports by the PRC to non-nuclear-weapon states in violation of international treaties and agreements and United States laws relating to the nonproliferation of nuclear weapons; and

(10) failure to enforce the applicable sanctions available under United States law in this case would compromise vital United States security interests and undermine the credibility of United States and international efforts to discourage commerce in nuclear-related equipment, technology, and materials.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) in response to the transfers from the PRC to Pakistan of equipment important to the development of a nuclear weapons program, the President should impose the strongest possible sanctions available under United States law on all Chinese official and commercial entities associated directly or indirectly with the research, development, sale, transportation, or financing of any nuclear or military industrial product or service made available for export since March 9, 1992; and

(2) the President should not, in this case, exercise his authority to waive sanctions provided under United States law.

B–27 AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MILLER OF CALIFORNIA, OR A DESIGNEE

At the end of title X (page 359, after line 20), insert the following new section:

SEC. 1041. TRANSFER OF U.S.S. DRUM TO CITY OF VALLEJO, CALIFORNIA.

(a) TRANSFER.—The Secretary of the Navy shall transfer the U.S.S. Drum (SSN–677) to the city of Vallejo, California, in accordance with this section and upon satisfactory completion of a ship donation application. Before making such transfer, the Secretary of the Navy shall remove from the vessel the reactor compartment and other classified and sensitive military equipment.

(b) FUNDING.—As provided in section 7306(c) of title 10, United States Code, the transfer of the vessel authorized by this section shall be made at no cost to the United States (beyond the cost which the United States would otherwise incur for dismantling and recycling of the vessel).

(c) APPLICABLE LAW.—The transfer under this section shall be subject to subsection (b) of section 7306 of title 10, United States Code, but the provisions of subsection (d) of such section shall not be applicable to such transfer.

B–28. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KENNEDY OF MASSACHUSETTS, OR A DESIGNEE

At the end of title X (page 359, after line 20), insert the following new section:

SEC. 1041. SENSE OF CONGRESS CONCERNING ASSISTING OTHER COUNTRIES TO IMPROVE SECURITY OF FISSILE MATERIAL.

(a) FINDINGS.—Congress finds the following:

(1) With the end of the Cold War, the world is faced with the need to manage the dismantling of vast numbers of nuclear weapons and the disposition of the fissile materials that they contain.

(2) If recently agreed reductions in nuclear weapons are fully implemented, tens of thousands of nuclear weapons, containing a hundred tons or more of plutonium and many hundreds of tons of highly enriched uranium, will no longer be needed for military purposes.

(3) Plutonium and highly enriched uranium are the essential ingredients of nuclear weapon.

(4) Limits on access to plutonium and highly enriched uranium are the primary technical barrier to acquiring nuclear weapons capability in the world today.

(5) Several kilograms of plutonium, or several times that amount of highly enriched uranium, are sufficient to make a nuclear weapons.

(6) Plutonium and highly enriched uranium will continue to pose a potential threat for as long as they exist.

(7) Action is required to secure and account for plutonium and highly enriched uranium.

(8) It is in the national interest of the United States to—

(A) minimize the risk that fissile materials could be obtained by unauthorized parties;

(B) minimize the risk that fissile materials could be reintroduced into the arsenals from which they came, halting or reversing the arms reduction process; and

(C) strengthen the national and international control mechanisms and incentives designed to ensure continued arms reductions and prevent the spread of nuclear weapons.

(b) SENSE OF CONGRESS.—In light of the findings contained in subsection (a), it is the sense of Congress that the United States has a national security interest in assisting other countries to improve the security of their stocks of fissile material.

B–29. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CHAMBLISS OF GEORGIA, OR A DESIGNEE

At the end of title X (page 359, after line 20), insert the following new section:

SEC. 1041. EVALUATION OF DIGITAL VIDEO NETWORK EQUIPMENT USED IN OLYMPIC GAMES.

(a) EVALUATION.—The Secretary of Defense shall evaluate the digital video network equipment used in the 1996 Olympic Games

to determine whether such equipment would be appropriate for use as a test bed for the military application of commercial off-the-shelf advanced technology linking multiple continents, multiple satellites, and multiple theaters of operations by compressed digital audio and visual broadcasting technology.

(b) REPORT.—Not later than December 31, 1996, the Secretary of Defense shall submit to Congress a report on the results of the evaluation conducted under subsection (a).

B–30. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SPENCE OF SOUTH CAROLINA, OR A DESIGNEE

At the end of title X (page 359, after line 20), insert the following new section:

SEC. . MISSION OF THE WHITE HOUSE COMMUNICATIONS AGENCY.

The Secretary of Defense shall ensure that the activities of the White House Communications Agency (or any successor agency) in providing support services for the President from funds appropriated for the Department of Defense for any fiscal year (beginning with fiscal year 1997) are limited to the provision of telecommunications support to the President and Vice President and related elements (as defined in regulations of that agency and specified by the President with respect to particular individuals within those related elements).

B–31. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LEWIS OF CALIFORNIA, OR A DESIGNEE

At the end of title X (page 359, after line 20), insert the following new section:

SEC. . SUPPORT FOR SOUTHWEST BORDER STATES ANTI-DRUG INFORMATION SYSTEM.

Congress supports the continuation of the Southwest Border States Anti-Drug Information System.

B–32. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TAYLOR OF MISSISSIPPI, OR A DESIGNEE

At the end of subtitle B of title XXVIII (page 459, after line 5), insert the following new section:

SEC. 2816. PLAN FOR UTILIZATION, REUTILIZATION, OR DISPOSAL OF MISSISSIPPI ARMY AMMUNITION PLANT.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress a plan for the utilization, reutilization, or disposal of the Mississippi Army Ammunition Plant, Hancock County, Mississippi.

At the end of title XXVI (page 443, after line 21), insert the following new section:

SEC. 2602. NAMING OF RANGE AT CAMP SHELBY, MISSISSIPPI.

(a) NAME.—The Multi Purpose Range Complex (Heavy) at Camp Shelby, Mississippi, shall after the date of the enactment of this Act be known and designated as the "G.V. (Sonny) Montgomery

Range". Any reference to such range in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the G. V. (Sonny) Montgomery Range.

(b) EFFECTIVE DATE.—Subsection (a) shall take effect at noon on January 3, 1997, or the first day on which G. V. (Sonny) Montgomery otherwise ceases to be a Member of the House of Representatives.

B–33. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PORTER OF ILLINOIS, OR A DESIGNEE

At the end of part I subtitle C of title XXVIII (page 462, after line 25), insert the following new section:

SEC. 2824. REAFFIRMATION OF LAND CONVEYANCES, FORT SHERIDAN, ILLINOIS.

As soon as practicable after the date of the enactment of this Act, the Secretary of the Army shall complete the land conveyances involving Fort Sheridan, Illinois, required or authorized under section 125 of the Military Construction Appropriations Act, 1996 (Public Law 104–32; 109 Stat. 290).

B–34. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HASTINGS OF WASHINGTON

In section 3104 (title XXXI): Insert at the end of paragraph (8) (page 519, after line 19) the following new paragraph (and renumber the next paragraph accordingly):

(9) For nuclear security/Russian production reactor shutdown, $6,000,000.

Designate the text of such section as subsection (a) and insert at the end (page 520, after line 20) the following new subsection:

(b) ADJUSTMENT.—The total amount authorized to be appropriated pursuant to this section is the sum of the amounts specified in subsection (a) reduced by $6,000,000 for use of prior year balances.

B–35. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HALL OF OHIO, OR A DESIGNEE

At the end of subtitle D of title XXXI (page 543, after line 17), insert the following new section:

SEC. 3145. WORKER HEALTH AND SAFETY IMPROVEMENTS AT DEFENSE NUCLEAR COMPLEX, MIAMISBURG, OHIO.

(a) WORKER HEALTH AND SAFETY ACTIVITIES.—Of the funds authorized in section 3102(e), $5,000,000 shall be available to the Secretary of Energy to perform activities to improve worker health and safety at the defense nuclear complex at Miamisburg, Ohio. Such activities shall include the following:

(1) Shorten the current schedule for evaluating pre-1989 internal dose assessments for workers who received a dose greater than 20 rem.

(2) Install state-of-the-art automated personnel contamination monitors at appropriate facility exits and purchase and install an automated personnel access control system.

(3) Upgrade the radiological records software and implement a program that will characterize the radiological conditions of the site and facilities so that radiological hazards are clearly identified.

(4) Review and improve the evaluation of air samples.

(5) Upgrade bioassay analytical procedures to ensure that contract laboratories are adequately selected and validated and that quality control is assured.

(b) SAVINGS PROVISION.—Nothing in this section shall be construed as affecting applicable statutory or regulatory requirements relating to worker health and safety.

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